Group IV: claims 72-79 and 86, drawn to a bispecific or multispecific molecule comprising a portion which binds to a target antigen other than CD89 and a composition comprising said molecule;

Group V: claims 80-84 and 87, drawn to a molecular conjugate comprising the human antibody linked to an antigen and a composition comprising said conjugate;

Group VI: claim 90, drawn to an immunotoxin;

Group VII: claims 91-96, drawn to a method of inhibiting growth of a cell comprising contacting the cell with an effective amount of bispecific or multispecific molecule;

Group VIII: claims 97 and 98, drawn to a method of treating or preventing a disease comprising administering an isolated human monoclonal antibody that specifically binds to CD89;

Group IX: claim 99, drawn to a method of detecting the presence of CD89; and

Group X: claim 100, drawn to an expression vector comprising a nucleotide sequence encoding the variable regions of a human monoclonal antibody.

Accordingly, Applicants hereby elect Group I, claims 52-69, 85, 88, and 89, with partial traverse as set forth below. Applicants further elect the species of a human monoclonal antibody having a heavy chain variable region comprising CDR1, CDR2, and CDR3 sequences corresponding to amino acid residues 31-35, amino acid residues 50-66, and amino acid residues 99-108 of SEQ ID NO:6, respectively, and a light chain variable region comprising CDR1, CDR2, and CDR3 sequences corresponding to amino acid residues 24-35, amino acid residues 51-57, and amino acid residues 90-99 of SEQ ID NO:8, respectively.

REMARKS

The Examiner has restricted the claims to one of ten (10) different inventions. Applicants respectfully traverse and request reconsideration of the Examiner's restriction of the claims in the present application to the extent that the monoclonal antibodies (claims 52-69, 85, 88, and 89) of Group I should be grouped and examined together with the bispecific/multispecific molecules (claims 72-79 and 86) of Group IV, the molecular conjugates (claims 80-84 and 87) of Group V, and the immunotoxin (claim 90) of Group VI.

Applicants respectfully submit that the molecules encompassed by Groups I, IV, V, and VI clearly represent a single invention in that they are connected in design, operation, and effect, *i.e.*,

are not independent inventions (MPEP §808.01). Specifically, the claimed molecules are connected in design in that they all include the same human monoclonal antibody defined by claim 1. The claimed molecules also are connected in operation and effect in that they all bind to human CD89. Therefore, the claimed molecules are not independent inventions.

Moreover, Applicants submit that examination of Groups I, IV, V, and VI together in the present application would not place an undue burden on the Examiner, since the prior art searches for these Groups would be co-extensive and, as such, would not require undue burden on the Examiner. As stated in the M.P.E.P:

> [i]f the search and examination of an entire application can be made without serious burden, the examiner must examine it on the merits, even though it includes claims to independent or distinct inventions. M.P.E.P. § 803 . . .

In the present application, a prior art search of the monoclonal antibodies of Group I would necessarily include a search of the molecules of Groups IV, V, and VI, since these antibodies are an active or primary component of the bispecific/multispecific proteins of Group IV, the molecular conjugates of Group V, and the immunotoxins of Group VI.

Applicants further note that the inventions of Groups I, IV, V, and VI all belong to the same search class (530). Therefore, a search and examination of the claims of Groups I, IV, V, and VI can be made without serious burden.

For at least the foregoing reasons, Applicants respectfully request the Examiner to reconsider and withdraw the restriction requirement to the extent that all of the pending claims of Groups I, IV, V, and VI be examined together in the present application.

If a telephone conversation with Applicants' attorney would help expedite the prosecution of the above-identified application, the Examiner is urged to call Applicants' attorney at (617) 227-7400.

Applicants believe no fee is due with this response. However, if a fee is due, please charge our Deposit Account No. 12-0080, under Order No. MXI-211 from which the undersigned is authorized to draw.

Dated: May 20, 2004

Respectfully submitted,

By _____

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